

**MINUTES**  
**CITY PLAN COMMISSION**

City Plan Commission, Tuesday, October 25, 2011 at 4:00 P.M. in the Third Floor conference room, City Hall, 828 Center Avenue. Chairperson Mayor Bob Ryan presided.

Present: Mayor Ryan, Jerry Jones, Ald. Kevin Sampson, Don Cvetan, Ryan Sazama, John Van Der Male and Todd Wolf

Staff present: Steve Sokolowski and Chad Pelishek

Others present: Ald. Jean Kittelson, Ordell Christian, Kyle Karstaedt, David Sanderson, Erik Jensen, Ignacio Mendiola, Jerry Snyder, Patricia Christel, Bruk Thompson and Joe Rupnik

The meeting was called to order and the Pledge of Allegiance was recited.

Approval of minutes of the October 25, 2011 meeting.

John Van Der Male moved, Jerry Jones seconded to approve the minutes of the October 25, 2011 meeting. The motion passed unanimously.

Conditional Use Permit application by LJM Architects to construct a new outdoor deck, gazebo and small building addition to the existing outdoor pool area located on the east side of the Blue Harbor Resort, 725 Blue Harbor Drive.

David Sanderson and Erik Jensen were present to discuss this matter with the Commission.

The proposed project includes the construction of a new 3,000 square foot deck, a new retaining wall and a new six (6) foot high fence to enclose the outdoor pool/deck area. A new 432 square foot gazebo will be constructed on the southeast corner of the new deck. A new 125 square foot building addition will be used for a bathroom and towel room.

The project was approved by the Architectural Review Board at their October 24, 2011 meeting.

Todd Wolf moved, Kevin Sampson seconded to approve with the following conditions:

1. Prior to construction, the applicant shall obtain all necessary permits and licenses including but not limited to building, plumbing, electrical, HVAC, health, food, alcohol, occupancy, etc.
2. Submittal and approval of a proposed landscape plan (including relocation of existing landscaping)
3. Submittal and approval of a proposed drainage plan.

4. Retaining wall and fencing shall be installed per Section 15.720(3)(c) of the City of Sheboygan Zoning Ordinance.
5. Outdoor storage of materials, products or equipment shall be prohibited.
6. Applicant will be required to obtain a conditional use/sign permit for any new signage to be installed on the property/store prior to installation.
7. The resort shall not be permitted to have temporary signage other than what is permitted by Section 15.807 of the City of Sheboygan Zoning Ordinance.
8. All new lighting shall be installed per Section 15.707 of the City of Sheboygan Zoning Ordinance.
9. Prior to building permit issuance, the applicant shall provide a site plan on a survey showing the pool/outdoor patio area is indeed one (1) foot from the property line/leased area. It is the applicant's responsibility to verify this setback.
10. Absolutely no portion of any new structure (retaining wall, fence, steps, ramps, railings, structures, etc.) shall cross the property line.
11. Applicant shall provide a survey showing that the pool/outdoor patio area is outside the 75 foot Lake Michigan ordinary high water mark setback.
12. Applicant may serve alcohol in the outdoor deck/patio if and only if all required liquor licenses are obtained/amended
13. If there are any amendments to the approved site plan, the applicant will be required to submit a new conditional use application reflecting those amendments.

A variance was granted to allow a one (1) foot paving setback to a rear yard where a minimum paving setback of five (5) feet to a rear yard is required.

The motion passed unanimously.

Conditional Use Permit application by Ignacio Mendiola to operate Geno Nottlolini's Pizza at 2209 South Business Drive (former US Cellular).

Ignacio Mendiola, Patricia Christel and Bruk Thompson were present to discuss this matter with the Commission.

The applicant is proposing to convert the building located at 2209 South Business Drive into a restaurant with pickup and delivery. Mr. Mendiola presently has a restaurant at 1423 Union Avenue and 2629 Calumet Drive. He intends to relocate the Union Avenue restaurant to South Business Drive.

Patricia Christel indicated she owned a house to the east of the building and was concerned about noise caused by delivery vehicles, i.e., loud music coming from delivery cars parked in the alley. She also indicated she was concerned with snow removal in the alley behind her property.

The applicant and the owner of the building, Mr. Thompson indicated they want to be good neighbors and will work with Ms. Christel regarding her concerns.

Kevin Sampson moved, Jerry Jones seconded to approve with the following conditions:

1. Prior to construction and operation, the applicant shall obtain all necessary permits and licenses including but not limited to building, plumbing, electrical, HVAC, fire, health, food, alcohol, occupancy, etc.
2. If a dumpster is used, the dumpster(s) shall be screened/enclosed and constructed of like materials and colors of the facility. If using chain link fencing, the applicant shall install Privacy Decorative Slatting (PDS) material in order to effectively screen and enclose the dumpster. Dumpster shall be constructed prior to occupancy.
3. Outdoor storage of materials, products or equipment shall be prohibited
4. All new lighting shall be installed per Section 15.707 of the City of Sheboygan Zoning Ordinance. There shall be no spillover light onto adjacent properties or the streets.
5. All ground level and rooftop mechanicals shall be screened and/or enclosed and constructed of like materials and colors of the facility (HVAC equipment, satellite dishes, etc.). Any screening shall be constructed prior to occupancy.
6. Applicant will be required to obtain a sign permit for each sign to be installed on the property prior to installation.
7. The restaurant shall not be permitted to have temporary signage other than what is permitted by Section 15.807 of the City of Sheboygan Zoning Ordinance.
8. If the applicant does any type of exterior renovation and/or remodel, the proposal must be reviewed and approved by the Architectural Review Board prior to beginning such exterior remodel work.

The motion passed unanimously.

Site Plan Review application by Rockline Industries to construct an addition at 1113 Maryland Avenue.

Kyle Karstaedt was present to discuss this matter with the Commission.

The proposed 5,900 square foot building addition will located at the south end of the existing loading dock that is accessed from the intersection of South 11<sup>th</sup> Street and New Jersey Avenue. The new addition will provide for additional equipment and production capability.

The project was approved by the Architectural Review Board on October 24, 2011 meeting.

Todd Wolf moved, Don Cvetan seconded to approve with the following conditions:

1. Submittal/approval of a proposed storm drainage plan.
2. Prior to construction, the applicant shall obtain all necessary permits and licenses including but not limited to building, plumbing, electrical, HVAC, fire, occupancy, etc.
3. All ground level and rooftop mechanicals shall be screened and/or enclosed and constructed of like materials and colors of the facility (HVAC equipment, satellite dishes, etc.).
4. Outdoor storage of materials, products or equipment shall be prohibited.
5. All new lighting shall be installed per Section 15.707 of the City of Sheboygan Zoning Ordinance.

The motion passed unanimously.

Site Plan Review application by Sheboygan Animal Hospital to construct an addition at 1839 Erie Avenue.

Jerry Snyder was present to discuss this matter with the Commission.

The project consists of a 135 square foot addition at the south end of the building and will be used for animal dental work.

The Architectural Review Board approved by the project at their October 24, 2011 meeting.

Jerry Jones moved, John Van Der Male seconded to approve with the following conditions:

1. Submittal/approval of a proposed storm drainage plan.
2. Prior to construction, the applicant shall obtain all necessary permits and licenses including but not limited to building, plumbing, electrical, HVAC, health, occupancy, etc.
3. All ground level and rooftop mechanicals shall be screened and/or enclosed and constructed of like materials and colors of the facility (HVAC equipment, satellite dishes, etc.).
4. Outdoor storage of materials, products or equipment shall be prohibited.
5. If a dumpster is used, the dumpster(s) shall be screened/enclosed and constructed of like materials and colors of the facility. If using chain link fencing, the applicant shall install Privacy Decorative Slating (PDS) material in order to effectively screen and enclose the dumpster. Dumpster shall be constructed prior to occupancy.
6. All new lighting shall be installed per Section 15.707 of the City of Sheboygan Zoning Ordinance.

The motion passed unanimously.

Gen. Ord. No. 37-11-12 and R. O. No. 232-11-12 relative to rezoning property located at 1216 Union Ave. from NR Neighborhood Residential to NC Neighborhood Commercial.

Ordell Christian was present representing the applicant.

Richard Guske owner of the convenience store located at 1208 Union Avenue has purchased the house directly to the west located at 1216 Union Avenue. Mr. Guske is requesting the rezoning to allow him to utilize the property for expansion of the existing mini mart/gasoline station located at 1216 Union Avenue. The house on the property will be demolished. If the rezoning is approved by the Common Council, Mr. Guske will need to apply for a conditional use permit in order to do the expansion project.

Presently, the properties to the north and west are zoned NR Neighborhood Residential, the properties to the east are zoned NR Neighborhood Residential and NC Neighborhood Commercial and to the south are zoned NC Neighborhood Commercial and MR-8 Mixed

Residential. The existing mini mart/gasoline station is presently zoned NC Neighborhood Commercial.

Kevin Sampson moved, Todd Wolf seconded to recommend approval of the rezoning. The motion passed unanimously.

R. O. No. 231-11-12 submitting a communication from Joe Rupnik, Executive Director of the Housing Authority, stating the Housing Authority has made an offer to purchase a property located at 2205 Erie Avenue.

Joe Rupnik was present to discuss this matter with the Commission.

According to State Statutes, all purchase and sale of property by the City must be acted on by the Plan Commission and Common Council.

Jerry Jones moved, Kevin Sampson seconded to recommend approval of the purchase further recommends that after the property is acquired by the Housing Authority, the two parcels be combined into one parcel. The motion passed unanimously.

Res. No. 88-11-12 adopting the Schuchardt Farms Conservation Plan.

The Plan was developed to assist the City and the DNR in identifying the types and quality of habitats on the site and opportunities for conservation and restoration. The Plan will serve as a tool for developing conservation easements and covenants for developed areas and aid the City in their property and development planning.

Ryan Sazama moved, Todd Wolf seconded to recommend approval of the Resolution. The motion passed unanimously.

Site Plan Review application by Pritesh Patel to operate a liquor store from 2919 South 12<sup>th</sup> Street (former Aurora Pharmacy).

The applicant has withdrawn his application.

Jerry Jones moved, Kevin Sampson seconded to file. The motion passed unanimously.

Com. No. 9-11-12 submitting a communication from Gerald DuMonthier stating his objection to the proposed liquor store on the corner of Wilson Ave. and S. 12<sup>th</sup> St.; Com. No. 10-11-12 submitting a communication from Rick and Debbie Herber stating that the proposed liquor store to be located on the corner of S. 12<sup>th</sup> St. and Wilson Ave. is a poor idea; Com. No. 11-11-12 submitting a communication from Richard, Gail and Tammy Edler stating that they are against a liquor store locating on the corner of S. 12<sup>th</sup> St. and Wilson Ave. as there are 5 schools in the area, a rehab house and lots of children; and Com. No. 12-11-12 submitting a communication from Kathy and Bernie Ross stating that they are opposed to the approval of any liquor licensing

in their area of S. 12<sup>th</sup> St. as there are too many schools in walking distance including small children.

Kevin Sampson moved, Todd Wolf seconded to recommend the documents be placed on file. The motion passed unanimously.

Plan Commission Resolution recommending the Comprehensive Plan for the City of Sheboygan, Wisconsin.

As part of the Comprehensive Plan approval process, it is a requirement of the State Statutes that the Plan Commission take action to recommend approval of the Comprehensive Plan. A public hearing will be held by the Common Council on December 5, 2011.

Todd Wolf moved, Ryan Sazama seconded to approve the Resolution recommending adoption of the Comprehensive Plan. The motion passed unanimously.

Being no further business, John Van Der Male moved, Jerry Jones seconded to adjourn at 4:45 P.M.

Carol Rudie  
Recording Secretary